

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2013

FISCAL ANALYSIS MEMORANDUM

[This confidential fiscal memorandum is a fiscal analysis of a draft bill, amendment, committee substitute, or conference committee report that has not been formally introduced or adopted on the chamber floor or in committee. This is not an official fiscal note. If upon introduction of the bill you determine that a formal fiscal note is needed, please make a fiscal note request to the Fiscal Research Division, and one will be provided under the rules of the House and the Senate.]

DATE: June 17, 2014

TO: Representative Davis

FROM: Brian Slivka
Fiscal Research Division

RE: House Bill 1059 (Second Edition)

FISCAL IMPACT (\$ in millions)					
	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> No Estimate Available		
State Impact	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
General Fund Revenues:					
General Fund Expenditures:					
State Positions:					
NET STATE IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Local Impact					
Revenues:					
Expenditures:					
NET LOCAL IMPACT	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:					
EFFECTIVE DATE: Section 1 of this act becomes effective December 1, 2014, and applies to offenses committed on or after that date. The remainder of this act is effective when it becomes law.					
TECHNICAL CONSIDERATIONS:					
None					

BILL SUMMARY:

House Bill 1059 makes it a Class H felony in Brunswick, New Hanover, Onslow, and Pender Counties to take and carry away any Venus flytrap plant or seed, or aid in such activity, that is growing on another person's land with the intent to steal the plant or seed. It makes a conforming change to GS 14-129.

The bill amends Section 7(d) of SL 2006-167 to allow New Hanover County District U to use the net proceeds from the room occupancy and tourism development tax only for beach renourishment or inlet maintenance providing that (1) the use is in accordance with the New Hanover County ordinances where applicable, and (2) was funded in whole or part with state or federal monies. It specifies that none of the proceeds may be used for beach renourishment or inlet maintenance in areas within New Hanover County that are outside of District U.

ASSUMPTIONS AND METHODOLOGY:

House Bill 1059 would make it a Class H felony in Brunswick, New Hanover, Onslow, and Pender Counties to take, with the intent to steal, a Venus flytrap plant or seed. A separate Incarceration Note has been completed addressing the criminal penalty changes in this bill.

Also, House Bill 1059 amends Section 7(d) of SL 2006-167 to allow New Hanover County District U to use the net proceeds from the room occupancy and tourism development tax only for beach renourishment or inlet maintenance dependent on specific factors. The bill does not impact the amount of local occupancy taxes collected by New Hanover County District U, so there would be no fiscal impact due to these changes.

SOURCES OF DATA:

TECHNICAL CONSIDERATIONS: None